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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/820,452	03/28/2001	Paul W. Bennett	5676-00700	6657

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EXAMINER

HUYNH, CONG LAC T

ART UNIT PAPER NUMBER

2178

DATE MAILED: 10/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/820,452	Applicant(s) BENNETT, PAUL W. 2/4	
	Examiner Cong-Lac Huynh	Art Unit 2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: the application filed on 3/28/01.
2. Claims 1-30 are pending in the case. Claims 1, 11, and 21 are independent claims.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-8, 10-18, 20-28, 30 are rejected under 35 U.S.C. 102(b) as being anticipated by Microsoft Excel 2000, hereinafter "Excel", Copyright 1995-1999 Microsoft Corporation; screenshots pages 1-7.

Regarding independent claim 1, Excel discloses:

- entering one or more mathematical operators (**page 2**: mathematical operators "*", "/", SUM are entered in cells A4, A5 and A6)
- entering a plurality of numeric values (**page 2**: numeric values 5, 8, 4 are entered in cells B9, B10, and B11)
- displaying the mathematical operators in one or more operation fields in columnar format down at least one of a plurality of rows on a display screen (**page 2**: the mathematical operators are displayed in one or more cells in column

- A in rows 4, 5, 6 on the display screen where each cell is considered equivalent to a field for entering and displaying data since these cells comprise only one type of data)
- displaying the numeric values in a plurality of number fields in columnar format down the plurality of rows on the display screen (**page 2**: the numbers 5, 8, 4 are displayed in column B, rows 9, 10, 11 on the display screen)
 - entering an open parenthesis character in an upper row (**page 2**: the open parenthesis is entered in the upper row 8; **page 4**: by setting cell E8 as number with open parenthesis, the open parenthesis is entered in cell E8 in row 8)
 - entering a close parenthesis character in a lower row, wherein the lower row is displayed below the upper row on the display screen (**page 2**: the close parenthesis is entered in the lower row 12 which is below row 8 on the display screen; **page 4**: by setting cell E9 as number with close parenthesis, the close parenthesis is entered in row 9 below row 8)
 - automatically calculating a result by applying the set of mathematical operator to the set of numeric values and by following an order of evaluation which respects the open and close parentheses (**page 3**: by applying the mathematical operator SUM to the set of numeric values 5, 8, 4 between the parentheses from cells B8 to B12, Excel automatically calculates SUM(B8:B12); **page 4**: applying the operator SUM of E8 and E9 to cell E10, the sum of numbers "8" and "7" between the parentheses is calculated)

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- displaying the result on the display screen (**page 3**: the result "17" of the sum in cell A6 is displayed on the display screen; **page 4**: the result "15" of the sum is displayed in cell E10 on the display screen)

Regarding claim 2, which is dependent on claim 1, Excel discloses entering the open parenthesis in one of the number fields in the upper row (**page 4**: the open parenthesis is entered in the number field E8 in the upper row 8).

Regarding claim 3, which is dependent on claim 1, Excel discloses entering the close parenthesis in one of the number fields in the lower row (**page 4**: the close parenthesis is entered in the number field E9 in the lower row 9).

Regarding claim 4, which is dependent on claim 1, Excel discloses entering the open parenthesis character in one of the operation fields in the upper row (**page 5**: the open parenthesis is entered in the operation field G8 in upper row 8).

Regarding claim 5, which is dependent on claim 1, Excel discloses entering the close parenthesis character in one of the operation fields in the lower row (**page 5**: the close parenthesis is entered in the operation field G10 in the lower row 10).

Regarding claim 6, which is dependent on claim 1, Excel discloses:

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- entering one or more comment strings (**page 6**: “comment1”, “comment2”, “comment3” are entered in cells C9-C11)
- displaying the comment strings in one or more comment fields in columnar format down the at least one of the plurality of rows on the display screen (**page 6**: “comment1”, “comment2”, “comment3” are displayed cells C9-C11, which are equivalent to the fields in column C, rows 9, 10, 11 on the display screen)

Regarding claim 7, which is dependent on claim 6, Excel discloses that entering the open parenthesis character in the upper row comprises entering the open parenthesis character in one of the comment fields in the upper row (**page 7**: the open parenthesis is entered in the comment field before the “comment1” in the upper row 9).

Regarding claim 8, which is dependent on claim 6, Excel discloses that entering the close parenthesis character in the lower row comprises entering the close parenthesis character in one of the comment fields in the lower row (**page 7**: the close parenthesis is entered in the comment cell after the “comment2” in the lower row 10).

Regarding claim 10, which is dependent on claim 1, Excel discloses the operation fields and the number fields are comprised in a plurality of columns (**page 3**: the operation cell and the number cell are in columns A and B).

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Claims 11-18, and 20 are a system of method claims 1-8, and 10, and are rejected under the same rationale.

Claims 21-28, and 30 are a carrier medium comprising program instructions for performing method claims 1-8, and 10, and are rejected under the same rationale.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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7. Claims 9, 19 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Excel as applied to claims 1, 11 and 21 above, and further in view of Norden-Paul et al. (US Pat No. 5,247,611, 9/21/93).

Regarding claim 9, which is dependent on claim 1, Excel does not disclose:

- the operation fields and the number fields are comprised in a first column
- displaying a single column label for the first column, wherein the single column label spans the width of one of the operation fields and one of the number fields

Norden-Paul discloses:

- different fields are comprised in a first column (figure 5, col 5, lines 35-53, col 2, lines 60-65, figure 6: fields 121-125 are included in cell 120 of the Order text column, and fields 141 and 142 are included in cell 140 of the Order column)
- displaying a single column label for the first column, wherein the single column label spans the width of different fields (figures 5-6: the single column label for column Order spanning the width of field Date and field Time)

Norden-Paul does not disclose that the fields comprised in a column are operation field and number field.

However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Norden-Paul to include the operation field and the number field instead of the date field and the time field since the date, the time, the operation, and the number are merely different format types of a field data. Also, it would have been obvious to one of ordinary skill in the art at the time of the invention

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was made to have combined Norden-Paul into Excel since Norden-Paul discloses various fields comprised in a column providing the advantage to incorporated into Excel for including operation fields and number fields as multiple data fields in a spreadsheet cell in one column for displaying more than one piece of data in a cell instead of having only one data field in a cell.

Claim 19 is a system of method claim 9, and is rejected under the same rationale.

Claim 29 is a carrier medium comprising program instructions for performing method claim 9, and is rejected under the same rationale.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Matthews, *Excel for Windows 95 Made Easy*, Fifth Edition, Lawrence Levitsky publisher, 1995, pgs 150-152, 185.

Shaw et al., *Microsoft Office 6 in 1*, Que Corporation 1996, pgs 279, 291-297.

Boyce et al., *Using Microsoft Office 97*, Que Corporation 1997, pgs 276-284, 375-382.

Terry, *Spreadsheets and the Credit Manager*, Credit Control, Apr 1992, vol 13, Iss 4, page 21, 4 pgs.

Freivald et al. (US Pat No. 5,983,268, 11/9/99, filed 3/25/97).

Schlaflly (US Pat No. 5,600,584, 2/4/97, filed 9/15/92).

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Narayanan (US Pat No. 5,598,519, 1/28/97, filed 11/8/94).

Shelton et al. (US Pat No. 5,325,478, 6/28/94).

Comer et al. (US Pat No. 5,819,293, 10/6/98, filed 6/6/96).

Wisniewski (US Pat No. 6,460,059 B1, 10/1/02, filed 8/4/98).

McGarry (US Pat No. 6,490,600 B1, 12/3/02, filed 8/9/99).

Adler et al. (US Pat No. 6,138,130, 10/24/00, filed 6/15/98).

West et al. (US Pat No. 5,418,902, 5/23/95).

Brittan et al. (US Pat No. 6,199,078 B1, 3/6/01, filed 9/15/98).

Igra et al. (US Pat No. 6,701,485 B1, 3/2/04, filed 6/15/99).

Stead (US Pat No. 6,690,401 B1, 2/10/04, filed 7/19/00).

Richards (US Pat No. 6,292,810 B1, 9/18/01, filed 3/3/98).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 571-272-4125. The examiner can normally be reached on Mon-Fri (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-4125.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Cong-Lac Huynh
Examiner
Art Unit 2178
9/22/04